

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 1, 2008, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner, via telephone
Robert H. Raney, Commissioner
Ken Toole, Commissioner

APPEARANCE

Scott Fabel, Utility Division

(223) In the matter of N2008.6.60-Qwest Communication Corporation - on June 13, 2008, Qwest Corporation (QCC) filed Tariff Transmittal QCC08-4:

Commissioner Mood moved to approve QCC's Tariff Transmittal in Docket N2008.6.60. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(224) In the matter of TN2396-UG, Inc. dba Capitol Taxi, Helena, Montana, PSC No. 2111, requests a fuel surcharge of between \$.25 and \$1.50 per fare on their passenger operations.

Commissioner Toole moved to approve the fuel surcharge of between \$.25 and \$1.50 per fare as requested. Commissioner Raney seconded the motion, which passed unanimously.

(225) In the matter of the approval of Commission Minutes for the week of June 23, 2008:

Commissioner Toole moved to approve the Commission Minutes for the week of June 23, 2008. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(226) In the matter of the Commission's discussion of Regional Oversight Committee's multistate collaborative review of Qwest's performance assurance plan(s):

Commissioner Raney moved to approve the Montana Public Service Commission's participation

in the Regional Oversight Committee's Qwest Performance Assurance Plan review and authorized funding Montana's share of the cost of the review from the Commission's Qwest Performance Assurance Plan state special account. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Utility Division

(227) In the matter of the Commission's discussion of D2008.4.33-Qwest Corporation and Bandwidth.com CLEC, LLC-Interconnection Agreement:

Commissioner Toole moved to approve the Qwest Corporation and Bandwidth.com CLEC, LLC interconnection agreement in Docket D2008.4.33. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(228) In the matter of the Commission's discussion of D2005.6.105 and D2008.1.6-Qwest USF and Qwest AFOR dockets:

Commissioner Raney moved to extend the consultant contract, amending the contract as necessary to reflect expert witnesses' participation in Docket D2008.1.6 as it relates to the Qwest USF issues, and allocate up to \$30,000 from the PSC's 2008-09 consultant budget to fund the extension. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(229) In the matter of the Commission's discussion of N2008.5.51- Avista Corporation for a Protective Order Related to Schedule 16 of its 2007 Annual Report:

Commissioner Toole moved to grant Avista Corporation's motion for a protective order covering Schedule 16 of its 2007 annual report and close this docket. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Brian DeKiep, Utility Division

(230) In the matter of the Commission's discussion of NARUC Amicus Brief:

Commissioner Jergeson moved to have the PSC join with other OMS states in commenting on the

NARUC Amicus Brief to the US Court of Appeals for the District of Columbia supporting the CT DPUC's appeal regarding jurisdiction over resource adequacy. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Utility Division

(231) In the matter of the Commission's discussion of D2007.7.82-NorthWestern Energy Final Order-Phase 1 (Revenue Requirements):

Commissioner Raney moved to approve the final order, Phase 1 in Docket D2007.7.82. Commissioner Jergeson seconded the motion, which passed 3-2. Commissioner Toole and Commissioner Molnar voted no.

APPEARANCE

Wayne Budt, Administrator

Transportation & Centralized Services Division

(232) In the matter of the Commission's discussion of 2009 Session Proposed Legislation:

Commissioner Raney moved to submit the request regarding the filing of liability insurance for tow truck drivers to ETIC committee for consideration. Commissioner Mood seconded the motion, which passed unanimously.

Commissioner Raney moved to accept the changes amending Sections 69-1-108 and 69-1-109 MCA regarding the commission secretary position. Commissioner Mood seconded the motion, which passed unanimously.

Commissioner Mood moved to notify DNRC that the Commission would not object to the removal of the final sentence in Title 69.7.112. Commissioner Raney seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGESON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)